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December 8, 2004

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Federal Communications Commission  
Office of Secretary

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Written Ex Parte Presentation in IB Docket No. 02-10**

Dear Ms. Dortch:

In the interest of a complete and accurate record in the referenced proceeding, Maritime Telecommunications Network, Inc. ("MTN"), through counsel, responds to Ex Parte presentations by the Fixed Wireless Communications Coalition ("FWCC") on December 3 and 7, 2004, concerning the subject rulemaking proceeding.

MTN, the largest U.S.-based operator of Earth Stations on Vessels (ESVs") has never been directly contacted by the FWCC to request information about a potential case of interference to a fixed service link in the 6 GHz band. FWCC did indeed place a case of potential interference in the record of the Notice of Inquiry stage of this proceeding – without ever bringing the matter directly to the attention of MTN. Nonetheless, MTN investigated the allegation and responded with a comprehensive analysis proving FWCC's allegation of ESV interference to be without merit or foundation. On no other occasion has FWCC contacted MTN – directly or through public filings with the Commission – regarding potential cases of interference. MTN has also noted in this proceeding that there are many potential causes for FS outages unrelated to ESV interference that can account for outages observed by FS operators.

Furthermore, the Notice of Proposed Rulemaking ("NPRM") in this proceeding specifically invited interested parties to provide examples of interference in public comments.<sup>1</sup> Since the release of the NPRM, neither the FWCC nor any other interested party has responded to the Commission's invitation to place in the record of this proceeding specific information concerning ESV interference. It is for this reason that MTN has often stated that the record of this NPRM does not contain ONE single example of real or alleged ESV to FS interference in the 6 GHz band.

<sup>1</sup> See Notice of Proposed Rulemaking In the Matter of Procedures to Govern the Use of Satellite Earth Stations on Board Vessels in Bands Shared With Terrestrial Fixed Service at ¶ 97, 18 FCC Rcd 25248, 25287 (2003).

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MTN also wishes to note that slides 3 and 4 attached to the FWCC December 3 and 7, 2004 Ex Parte presentations demonstrate that a coordination distance of 150 kilometers from shore is more than adequate to include potential points of FS links. Thus, the FWCC's own slides belie the need to extend coordination zones to distances greater than the 150 kilometers from shore as suggested by MTN in its Ex Parte filing of December 1, 2004.

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), the original and one copy of this letter are submitted for inclusion in the file of the above-referenced proceeding.

Please direct any questions you may have to the undersigned.

Respectfully yours,

Raul R. Rodriguez  
Attorney for Maritime Telecommunications Network, Inc.

RRR/rjc

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